

Appln. No. 10/633,117

Attorney Docket No. 10641-1830

II. Remarks

Claims 1 through 10 stand rejected, and claims 11 through 18 are objected to as being dependent upon a rejected base claim (claim 8). Claims 1 through 10 are being cancelled, and claims 11 and 13 are being amended. Accordingly, after entering this amendment, claims 11 through 18 remain pending.

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Allowable Subject Matter

Applicants respectfully acknowledge the Examiner's indication that claims 11 through 18 would be allowable if rewritten in independent form to include all of the limitations of the base claim (claim 8) and any intervening claims (claims 9 and 10). Accordingly, claim 11 is being re-presented in independent form including the limitations of the base claim (claim 8) and the intervening claims (claims 9 and 10). Specifically, in addition to the limitations of original claim 8, claim 11 requires adjusting the estimating step in dependence upon the results of the comparing step and the detecting step. The adjustments to the estimating step and the air fuel ratio demand step are not performed if a rich breakthrough is detected and if the estimated oxygen level is greater than a second predetermined threshold and is less than a third predetermined threshold.

Further, claims 8 through 10 have been cancelled.

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In view of the above, it is submitted that claims 11 through 18 are allowable and such action is respectfully requested.

Claim Rejections - 35 U.S.C. §102(e)

Claims 1 through 10 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,497,093 to Lewis et al. (Lewis).

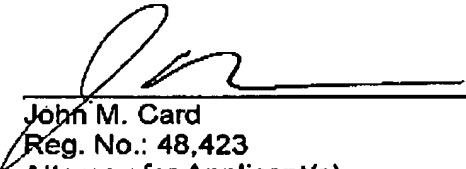
Claims 1 through 10 have been cancelled, and, therefore, the rejections under 35 U.S.C. §102(e) are now moot.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 11 through 18) are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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